

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

RAUL HERRERA and FRANCISCO  
REYES, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

CAPRI II PIZZA, INC., GIULIO  
DIVITO and CHRISTOPHER DIVITO.,


Defendants.

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:  
: Civil Action No 1:24-cv-09483  
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:  
: ~~PROPOSED~~ JUDGMENT ON  
: ACCEPTED OFFER OF  
: JUDGMENT  
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:  
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IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to Federal Rule of Civil Procedure 68, Defendants, Capri II Pizza, Inc., Giulio DiVito and Christopher DiVito ("Defendants") shall pay to Plaintiff, Francisco Reyes the sum of \$15,000 as full and final settlement of all claims asserted in this action, including attorneys' fees and costs accrued up to the date of this Offer of Judgment. ~~The settlement shall be paid to Plaintiff as set forth in the settlement agreement. Dkt. No. 11.~~

This judgment is entered upon the acceptance by Plaintiff of Defendants' Offer of Judgment, which was served on January 27, 2025. The Clerk of Court is respectfully requested to terminate Francisco Reyes as a Plaintiff in this action.

Date: February 24, 2025

  
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Hon. Philip M. Halpern